IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELATE CIVIL JURISDICTION

WRIT PETITION NO.1981 OF 2004

Dr. (Mrs.) Neelima R. Sapre & 5 Ors. ..Petitioners

Vs.

Shivaji University and two Ors. ..Respondents

Mr.Madan Phadnis Sr. Advocate i/b. Mr. L.T. Satelkar for Petitioners
Mr.R.G.Ketkar Advocate for Respondent No.1 & 2
Mrs. S.S. Bhende, A.G.P. for Respondent NO.3

CORAM: F.I. REBELLO &
S.P. KUKDAY, JJ.
DATE: 11TH MARCH, 2005.

P.C.

. Rule. Heard forthwith.

. Petitioners had approached this Court for various reliefs. During the pendency of the Petition various events have taken place as a consequences whereof, the reliefs can be moulded.

. Petitioners Nos.1 and 2 applied for vacancies advertised and have been interviewed and have been selected. Once that be the case the Respondent Nos.1 and 2 are directed to issue letter of appointments and complete other formalities and till such time they are regularly appointed in services, they will continue to hold the posts held by them.

. In so far as Respondent No.3 is concerned the vacant post is reserved for S.C. candidate against which the Petitioner was appointed as a Lecturer.

. In so far as Respondent No.4 is concerned there is a vacant post of Lecturer in the open quota but in view of ban imposed by the State Government that post cannot be filled in on regular basis.

. In so far as Respondent No.6 is concerned the post was advertised however, Respondent No.6 did not apply and consequently there was no question of his being selected or being considered.

. Considering the above, the ends of justice would be met if Respondents are directed to continue the Petitioners in the posts presently held by them till such time as a regular candidates are selected after due advertisement.

. In so far as Respondent No. 5 is concerned learned Counsel points out that the post was reserved for S.T. candidates and a candidate has been selected. In view of that it will not be possible to consider granting of any relief to Respondent No.5.

. We accept the statements made on behalf of Respondents that the candidates duly selected will have to be appointed to the post now held by the Petitioner No.5. Petitioner No. 5 will have to vacate the post when the selected candidate is appointed.

. Apart from that on behalf of the Petitioners their learned Counsel points out that many of the Petitioners hold Doctorates and are entitled for increments when appointed to a post. We think it proper that so far as these grievances are concerned, they may address a representation to the University Grievance Committee in respect of all other pending grievances and University Grievance Committee within twelve weeks of receipt of such representation will dispose of the representation according to law and after giving a hearing to the Petitioners and/or to their Representatives.

. Rule made partly absolute accordingly. No order as to costs.

(F.I.REBELLO,J.)

(S.P. KUKDAY,J.)